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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,814	12/22/1999	DALE F. MCINTYRE	80353THC	6645
1333	7590	10/07/2003	EXAMINER	
PATENT LEGAL STAFF EASTMAN KODAK COMPANY 343 STATE STREET ROCHESTER, NY 14650-2201			VIG, NARESH	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/470,814	MCINTYRE ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Naresh Vig	3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 22 December 1999.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-39 is/are pending in the application.

4a) Of the above claim(s) 4-13, 20-28, 30-32 and 39 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) \_\_\_\_\_ is/are rejected.

7) Claim(s) 1-3, 14-19, 29 and 33-38 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 –3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheridan US Patent 5,760,917 in view of www.hotmail.com hereinafter known as HotMail and further in view of History of Kodak Milestones – 1999 hereinafter known as Kodak.

Regarding claim 1, Sheridan discloses method and system which allows a user to store images at the central hub, and to share those images with one or more third parties in a limited manner as controlled by the user, while automatically notifying such third parties of their granted access rights to the images. Further, the present invention allows a user to modify the granted access rights to third parties and the automatic notification of such third parties of the changes in access [col. 3, lines 8 – 15]. On May 19, 1998 – Kodak announced alliance with America Online to offer AOL members an exclusive online service. Members will be able to have their processed pictures

delivered to their "You've Got Pictures!" box on AOL. They will also be able to order reprints, enlargements, and other personalized merchandise from photo retailers and to let friends and relatives have access to the images, for viewing and ordering

Sheridan discloses electronic address for the hub station (such as a URL designation for a World Wide Web site on the Internet for hub station 201) by which each third party can connect to hub station 201 [col. 5, lines 24 – 26]. Sheridan does not disclose unique user-id and password. However, Sheridan discloses a listing of the access rights of the granted access right set which the user has granted to that third party, and the access identification which again may simply be that third party's e-mail address, and, password generated at the hub station [claim 8]. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that online content providers with limited access to general public require users to register with the system (URL is the internet address of the system which a user requires to access the system), and for security reasons may require password in association with the user-id to prevent unauthorized use. For example, online e-mail service provider requires a user to provide user-id and password before they can access the digital information they are authorized view, and, it would have been obvious to one of ordinary skill in the art at the time the invention was made that AOL (Kodak in alliance with AOL) requires its customers to provide user-id and password to access the information over the AOL network. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

have user-id and password to secure the system, prevent unauthorized use, manage distribution of digital content on the system.

Sheridan does not disclose to provide user-id and password to the users. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to decide who provides user-id and password. For example, HotMail allows user to create unique user-id and a password of user's choice, whereas, Chevy Chase Bank in Maryland provided ATM cards with had previously assigned user-id (ATM card number) and password (PIN provided by the bank). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide user-id and password to users to standardize the format of user-id and password.

Sheridan discloses transmitting from the hub station to the third party electronic address, an electronic address for the hub station, a listing of the access rights of the granted set associated with the third party electronic address, and the access identification [claim 1];

Sheridan discloses allowing the second terminal to access the image set only in accordance with the granted access right set (viewing the images by the user with access authority).

Regarding claim 2, Sheridan does not disclose images transferred is high resolution image and the image viewed is low resolution image. However, Sheridan

discloses identification of the digital image set to which the third party has been granted access. This identification could be in the form of a description which the user provided, or could include a low-resolution version (such as one or more thumbnail images) of all or some of the images from the actual digital image set to which the third party has been granted access (although the actual digital image set would not be included, since it would typically be of a higher resolution which would require more time for transmission) [col. 5, lines 34 – 42]. Sheridan discloses that high resolution image can be transmitted to the user and to save time, does not transmit the high resolution image. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to transmit high resolution image to the user to display the actual picture to the user.

Regarding claim 3, Sheridan discloses that the availability of a digital signal additionally allows a user to conveniently store, manipulate, and display or print copies of the images as desired at the user's location using conventional computer equipment. Sheridan does not disclose print to be high resolution. However, Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that the user viewing the image on a display device (e.g. computer monitor is of a lower resolution in comparison to a printer which has higher resolution). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to that the image printed on a printer is of a higher resolution-compared to the image viewed on a display device.

Claims 14 – 19 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheridan US Patent 5,760,917 in view of Carson US Patent 6,028,920 and in further view of, an article by Liang-Wu Cai hereinafter known as Cai, NCSA Imagemap Tutorial hereinafter known as NCSA, History of Kodak Milestones – 1999 hereinafter known as Kodak, GIF of pictures hereinafter known as SUSE, R cords Policy And Procedures Manual hereinafter known as UOM, and www.hotmail.com hereinafter known as HotMail.

Regarding claims 14, 15 and 29, Sheridan discloses system and method of permitting access by a pre-determined group of users [Fig. 2] to electronically stored images. Transmission of a signal between the sender and receiver, such as may be obtained over a computer network such as the Internet, dedicated communication line, or over a direct dial-up connection such as provided by a telephone line (any of which may include satellite or other non-wired links, in addition to wired and fiber optic links) [col. 3, lines 44 – 50].

Sheridan does not discloses providing users with transaction card from a set of cards. Carson discloses system and method providing telephone service (providing

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system access to user to use services). A phone card has a personal identification number (PIN) which can be covered by a removable opaque coating and machine readable indicia such as a bar code or magnetic strip used to activate the telephone card in a secure fashion. Users purchase the pre-paid phone-card for a fixed fee which entitles the user to a set amount of long distance phone service and a promotional lottery ticket [abstract]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use transaction card as taught by Carson to promote use of service from remote locations like gas stations, convenience stores, vending machines etc.

Sheridan does not disclose card with support sheet, URL code and password. Carson discloses phone-card to have PIN (password). Carson does not discloses the phone-card (transaction card) to have support sheet, URL code etc.. However, Carson discloses to have at least a portion of the substrate which is suitable for graphics 14 or the like, shown as a rectangular area in FIGS. 1-3 [col. 6, lines 17 – 19]. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a design choice to elect what information to place in this area (contact information, instructions, advertisement to generate revenue etc.). Cai discloses a sample of label with the information desired by Cai to be imprinted on the label. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that a business can to add URL information to Cai label. Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to put information like instructions, URLs etc. to provide the necessary information to user for using the system.

Neither Sheridan nor Carson disclose label with identifier. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that business have used labels with identification information which they stick on to a card to create an identification card. For example, video rental establishments like Blockbuster when a client wants to open a account (access to Blockbuster to use their rental services), the clerk takes the customer contact information, enters the information in the system, the clerk then peels a label with account information from a sheet of pre-printed labels, affixes a label with account number on the card, and laminates the card for the client, also, it is known at time of invention to one of ordinary skill in the art that computer users have applied labels (put identification information on label, remove label from sheet and apply label to the diskette) to identify diskette (exposed film, one-time use camera). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to affix a label with account information on a card to create an identification card by assigning the pre-assigned numbers and ensuring that the account numbers are not duplicate.

Neither Sheridan, Carson nor Cai disclose affixing label to an exposed roll of film or one-time use camera (product). UOM discloses system and method to affix label with identification information to a box (product) [page 8.2]. In addition, Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the

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invention was made that business are known to apply labels a product to identify its transaction id. For example, when a customer takes in a car for service, the store clerk applies an identification label to the car keys for identification purposes. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to affix a label to a product to be able to identify the product, its ownership, its content etc.

Sheridan discloses that in conventional photography, a user exposes a photographic film in a camera and conveys (either personally, by mail, or some other delivery service) the exposed film to any convenient processing center. The processing center then processes the film to form the hardcopy images [col. 1, lines 15 – 19]. Users can conveniently distribute multiple image copies in little time, by scanning the hardcopy image on a home scanner to generate corresponding digital image signals, and then forwarding one or more copies of the digital image signal to others by means of electronic mail (such as over the Internet). Furthermore, the recent advent of services such as KODAK PICTURE DISK available from Eastman Kodak Company and many processors, which allows a user to obtain a digital image signal of images of processed film on a disk, even eliminates the need for the user to own a scanner. The availability of a digital image signal additionally allows a user to conveniently store, manipulate, and display or print copies of the images as desired at the user's location using conventional computer equipment [col. 1, lines 36 50].

Sheridan does not discloses reading the unique machine readable URL code and uploading the scanned images to a network photoservice provider identified by the URL.

On February 12, 1998 - Kodak announced that PictureVision will become a subsidiary of Kodak. PictureVision's digital PhotoNet™ online network products, combined with Kodak's brand name and marketing capabilities, will bring wider choices to consumers for sharing their pictures quickly, easily, and inexpensively. They'll now be able to scan film images or photos into the digital network, transmit the images, and then obtain a variety of hardcopy output, ranging from reprints and enlargements to gifts and specialty items. On May 19, 1998 – Kodak announced alliance with America Online to offer AOL members an exclusive online service. Members will be able to have their processed pictures delivered to their "You've Got Pictures!" box on AOL. They will also be able to order reprints, enlargements, and other personalized merchandise from photo retailers and to let friends and relatives have access to the images, for viewing and ordering. Consumers will be doing more with their photos than ever, unleashing the power of pictures. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made to scanned images need to be uploaded to the computer to send to the recipient, and, the information is uploaded to the computer at a location on the storage which is identified by the path, and, this path can be passed on to the user as a URL (Directory path is the locator information for a information stored on a computer system in the format supported by the operating system, whereas, URL is the location of information from a computer system over the internet). SUSE discloses system and method where the images are uploaded to the computer and grouped in the file system of the computer. The images stored on the computer has the path (URL) to allow the user to retrieve the stored information. NCSA discloses system

and method to provide directory location of a file on a file system to the user in the URL form [page 4]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to scan the image to convert the image in the digital form, and upload the digitally converted image to the computer system (at a location on the storage in the computer system, i.e. directory path which can be given to the internet user in URL format) to allow the user to access the information from remote locations.

Sheridan discloses accessing the uploaded images by any member of the pre-determined group of users (authorized user, user who has access information for accessing the data, user who has card that has the information required to access the data etc.) [page 2].

Sheridan discloses to have password capability [claim 8]. Sheridan does not disclose accessing the first time only the stored images associated with that user. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that when a user signs in to a system, they are allowed only to view the information they are authorized to view. For example, HotMail allows users only to view the information they are authorized to view. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to restrict access to the information the user is authorized to view when the user logs in to the system (accessing the first time by a particular user only the stored images associated with that user).

Sheridan discloses that user can grant authority of pictures to other users.

Sheridan discloses which user has what authority (view, print, copy, e-mail) for the pictures [Fig. 2].

Sheridan does not disclose granting access to all images stored by the user to all cardholders in the event that a user fails to designate images for access to all card holders within a predetermined period of time. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to determine rules and regulations which the user needs to follow for the privilege to use the system. Applicant acknowledges, "Taking action after a predetermined time period is function that can be provided by computer 64 of the network photo service provider 60 as is known the computer art." [page 8]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to granting access to all images stored by the user to all cardholders in the event that a user fails to designate images for access to all card holders within a predetermined period of time to manage the restrict access of the information on the system, move unrestricted information to the public domain and save on resources needed for search query, save on operational costs for maintaining the information on restricted access sites.

Regarding claims 16 and 18, Sheridan discloses method and system which allows a user to store images at the central hub, and to share those images with one or

more third parties in a limited manner as controlled by the user, while automatically notifying such third parties of their granted access rights to the images. Further, the present invention allows a user to modify the granted access rights to third parties and the automatic notification of such third parties of the changes in access [col. 3, lines 8 – 15]. Also, SUSE discloses selection of rights (read, write, execute) that a owner of information or operator can assign to information stored on file system for public, group and the user. In addition, official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to decide how many users have authority to put information on the file system to protect the content of the information on the file system.

Regarding claims 17 and 19, Sheridan does not disclose one of the user is a professional photographer, and, charging a royalty for use of the uploaded digital images. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to determine what users they want the allow to user their system. If the business elects to have professional photographers to use the system, then it is their business choice to elect whether the professional photographer would want to charge for the pictures, or, give it free of charge to users who access the photographs of the professional photographer.

Claims 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheridan US Patent 5,760,917 in view of Carson US Patent 6,028,920 and in further view of, NCSA Imagemap Tutorial hereinafter known as NCSA, History of Kodak Milestones – 1999 hereinafter known as Kodak, GIF of pictures hereinafter known as SUSE.

Regarding claim 33, Sheridan discloses system and method of accessing a collection of digital images.

Sheridan does not discloses registering an event with a network photo service provider. Sheridan discloses albums (e.g. collection of pictures from an event like wedding, engagement, family reunion etc.). Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a personal choice whether to maintain an album for each occasion, or, to create albums on requirement basis. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that Sheridan albums are registered in the system to allow a user to upload pictures to a particular album.

Sheridan discloses electronic address for the hub station (such as a URL designation for a World Wide Web site on the Internet for hub station 201) by which each third party can connect to hub station 201 [col. 5, lines 24 – 26]. Sheridan does not disclose assigning specific URL to a registered event (album). Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the

invention was made to scanned images need to be uploaded to the computer to send to the recipient, and, the information is uploaded to the computer at a location on the storage which is identified by the path, and, this path can be passed on to the user as a URL (Directory path is the locator information for a information stored on a computer system in the format supported by the operating system, whereas, URL is the location of information from a computer system over the internet). SUSE discloses system and method where the images are uploaded to the computer and grouped in the file system of the computer. The images stored on the computer has the path (URL) to allow the user to retrieve the stored information. NCSA discloses system and method to provide directory location of a file on a file system to the user in the URL form [page 4]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to scan the image to convert the image in the digital form, and upload the digitally converted image to the computer system (at a location on the storage in the computer system, i.e. directory path which can be given to the internet user in URL format) to allow the user to access the information from remote locations.

Sheridan discloses accessing the uploaded images by any member of the pre-determined group of users (authorized user, user who has access information for accessing the data, user who has card that that has the information required to access the data etc.) [page 2].

Sheridan does not discloses employing the event specific URL to access the images. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that a user will need the URL to access the

information over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that a user will need to employ specific URL to be able access and retrieve the information from the content providing server over the internet.

Regarding claim 36, Sheridan does not disclose one of the user is a professional photographer. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to determine what users they want the allow to user their system.

Sheridan does not discloses providing access on the event specific URL to a professional photographer specific URL containing digital images. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made to scanned images need to be uploaded to the computer to send to the recipient, and, the information is uploaded to the computer at a location on the storage which is identified by the path, and, this path can be passed on to the user as a URL (Directory path is the locator information for a information stored on a computer system in the format supported by the operating system, whereas, URL is the location of information from a computer system over the internet). SUSE discloses system and method where the images are uploaded to the computer and grouped in the file system

of the computer. The images stored on the computer has the path (URL) to allow the user to retrieve the stored information. NCSA discloses system and method to provide directory location of a file on a file system to the user in the URL form [page 4].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to scan the image to convert the image in the digital form, and upload the digitally converted image to the computer system (at a location on the storage in the computer system, i.e. directory path which can be given to the internet user in URL format) to allow the user to access the information from remote locations.

Regarding claim 38, Sheridan discloses that users can conveniently distribute multiple image copies in little time, by scanning the hardcopy image on a home scanner to generate corresponding digital image signals, and then forwarding one or more copies of the digital image signal to others.

Claims 34, 35, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheridan US Patent 5,760,917 in view of Carson US Patent 6,028,920 and in further view of, an article by Liang-Wu Cai hereinafter known as Cai, NCSA Imagemap Tutorial hereinafter known as NCSA, History of Kodak Milestones – 1999 hereinafter known as Kodak, GIF of pictures hereinafter known as SUSE.

Regarding claims 34, 35 and 37, Sheridan does not disclose card with support sheet, URL code and password. Carson discloses phone-card to have PIN (password). Carson does not discloses the phone-card (transaction card) to have support sheet, URL code etc.. However, Carson discloses to have at least a portion of the substrate which is suitable for graphics 14 or the like, shown as a rectangular area in FIGS. 1-3 [col. 6, lines 17 – 19]. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a design choice to elect what information to place in this area (contact information, instructions, advertisement to generate revenue etc.). Cai discloses a sample of label with the information desired by Cai to be imprinted on the label. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that a business can to add URL information to Cai label. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to put information like instructions, URLs etc. to provide the necessary information to user for using the system.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

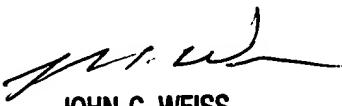
1. Pavley US Patent 6,445,460
2. Yang et al. US Patent 6,301,586
3. Winfield 27 – 1998
4. Sample Of Label For A Diskette

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

September 30, 2003  
Naresh Vig



JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600